

State of California
Regional Water Quality Control Board
San Diego Region

EXECUTIVE OFFICER SUMMARY REPORT
September 10, 2003

ITEM: 10

SUBJECT: Administrative Assessment of Civil Liability against Pioneer Builders for violations of the State Board's General Construction Storm Water Permit Order No. 99-08-DWQ, San Diego Region Basin Plan, and Cleanup and Abatement Order No. R9-2003-0158 at the Castillo del Mar subdivision in Dana Point, California. If agreement on settlement of this matter is not reached prior to the meeting date the Regional Board may deliberate and decide on assessment of civil liability based on testimony from the August 13, 2003 hearing. *The Public Comment period is closed on this item.* (Tentative Order No. R9-2003-0301) (Rebecca Stewart)

PURPOSE: If agreement on settlement of this matter is not reached prior to the meeting date, the Regional Board may deliberate and decide on assessment of civil liability based on testimony heard at the August 13, 2003 hearing.

PUBLIC NOTICE: This item is a continuation of the public hearing item held on August 13, 2003. A public notice for the hearing was published on June 16, 2003 in the Orange County Register.

DISCUSSION: At the conclusion of the public hearing held on August 13, 2003, the Regional Board decided to continue the item to allow for receipt of a settlement offer from Pioneer Builders in response to Complaint No. R9-2003-270 that was issued by the Executive Officer on June 12, 2003.

The Regional Board decided to close the public hearing and take no additional testimony. This agenda item has been scheduled in the event that a settlement cannot be reached. The Regional Board then has the option to deliberate on the testimony and the record and make a determination on the assessment of civil liability. As of August 25, 2003, no settlement offer has been submitted by Pioneer Builders. Additional information on this item will be provided in the supplemental mailing.

LEGAL CONCERNS: None.

SUPPORTING
DOCUMENTS: None at this time.

RECOMMENDATION: None at this time.